

**FILED**  
**JANUARY 3, 2008**  
 MICHAEL W. DOBBINS  
 CLERK, U.S. DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF ILLINOIS  
 EASTERN DIVISION**

**08 C 50**

<b>SHEILA CARSON,</b>	)	
	)	<b>Case No.</b>
<b>Plaintiff,</b>	)	
	)	<b>Judge</b>
<b>v.</b>	)	
	)	<b>Magistrate Judge</b>
<b>JOHN DOES 1-2, individually,</b>	)	
	)	<b>Jury Demand</b>
<b>Defendants.</b>	)	
	)	

**JUDGE GRADY  
 MAGISTRATE JUDGE ASHMAN**

**COMPLAINT AT LAW**

NOW COMES the Plaintiff, SHEILA CARSON, by and through her attorneys,  
 GREGORY E. KULIS & ASSOCIATES, complaining against the Defendants, COMMANDER  
 T. TUREK, OFFICER D. PASQUIRELLA, OFFICER GANDY and OFFICER FOX, and states  
 as follows:

**COUNT I – EXCESSIVE FORCE**

1. This action is brought pursuant to the United States Constitution as protected under 42 U.S.C. §1983 and §1988 and the laws of the State of Illinois.
2. Jurisdiction over this action is based upon 28 U.S.C. §1331 and §1343 and supplemental jurisdiction over pendent claims under the law of the State of Illinois.
3. The Plaintiff, SHEILA CARSON, was at all times United States citizens and permanent residents of the State of Illinois.
4. The Defendants, JOHN DOE 1-2, were at all relevant times duly appointed officers of the City of Elmhurst Police Department.
5. At all relevant times, the Defendants, JOHN DOE 1-2, were acting under color of law and within the scope of their employment as police officers.

6. On or about January 26, 2007, the Plaintiff was at her home when the defendants came to her door and asked if she had identification for her daughter who supposedly had just been arrested.

7. SHEILA CARSON was not breaking any laws or committing any crimes.

8. SHEILA CARSON had not violated any laws.

9. The Plaintiff, SHEILA CARSON, was arrested, handcuffed and transported to the police station.

10. Defendants did not have probable cause to arrest SHEILA CARSON.

11. The actions of Defendants, JOHN DOE 1-2 were intentional, willful and wanton.

12. Said actions of Defendants, JOHN DOE 1-2, violated the Plaintiff, SHEILA CARSON'S, Fourth and Fourteenth Amendment Rights of the United States Constitution and were in violation of said rights as protected by 42 U.S.C. § 1983.

13. As a direct and proximate result of said conduct of Defendants JOHN DOE 1-2, the Plaintiff, SHEILA CARSON, suffered violations of her constitutional rights, emotional anxiety, humiliation, fear, pain, suffering, monetary loss and future pain and suffering.

WHEREFORE the Plaintiff, SHEILA CARSON, prays for judgment in her favor and against the Defendants, JOHN DOE 1-2, in an amount in excess of THIRTY THOUSAND DOLLARS (\$30,000.00) in compensatory damages and THIRTY THOUSAND DOLLARS (\$30,000.00) in punitive damages plus attorneys' fees and costs.

#### **COUNT II - MALICIOUS PROSECUTION**

1-8. The Plaintiff hereby restates and incorporates the allegations of paragraphs 3-10 of this Complaint as the respective allegations of paragraphs 1-11 of Count II as though fully set forth herein.

9. The Defendants proceeded with the charges against SHEILA CARSON, knowing they were false.

10. The criminal charges were resolved in favor of the Plaintiff, SHEILA CARSON.

11. As a direct and proximate result of said conduct of Defendants JOHN DOE 1-2, the Plaintiff, SHEILA CARSON, suffered violations of her constitutional rights, emotional anxiety, humiliation, fear, pain, suffering, monetary loss, and future pain and suffering.

WHEREFORE the Plaintiff, SHEILA CARSON, prays for judgment in her favor and against the Defendants, OFFICERS JOHN DOES 1-2, jointly and severally, in an amount in excess of THIRTY THOUSAND DOLLARS (\$30,000.00) in compensatory damages and THIRTY THOUSAND DOLLARS (\$30,000.00) in punitive damages plus attorneys' fees and costs.

**JURY DEMAND**

The Plaintiff, SHEILA CARSON, requests a trial by jury.

Respectfully submitted,

SHEILA CARSON

/s/ Gregory E. Kulis  
GREGORY E. KULIS & ASSOCIATES

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